

11899.0239.00PC00  
38-21(53182)A PCT

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **COTTON EVENT MON 88913 AND COMPOSITIONS AND METHODS FOR DETECTION THEREOF**, the Specification of which:

☐ is attached hereto.  
☒ was filed on **February 2, 2004** as Application Serial No. **PCT/US04/002907**. *PCT/US04/02907*

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent, United States provisional application(s), or inventor's certificate listed below and have also identified below any foreign application for patent, United States provisional application, or inventor's certificate having a filing date before that of the application on which priority is claimed:

| PRIORITY APPLICATION(S) |           |                   | Priority Claimed |
|-------------------------|-----------|-------------------|------------------|
| 60/447,184              | U.S.      | February 12, 2003 | Yes              |
| (Number)                | (Country) | (Date Filed)      | Yes/No           |
| (Number)                | (Country) | (Date Filed)      | Yes/No           |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose all information known to me to be material to patentability of the subject matter claimed in this application, as "materiality" is defined in Title 37, Code of Federal Regulations, § 1.56, which become available between the filing date of the prior application and the national or PCT international filing date of this application:

10/541345

(Application Serial No.) (Filing Date) (Status)

(Application Serial No.) (Filing Date) (Status)

I hereby direct that all correspondence and telephone calls be addressed to Patricia A. Kammerer, Howrey Simon Arnold & White, LLP, 750 Bering Drive, Houston, Texas 77057-2198, (713) 787-1400.

I HEREBY DECLARE THAT ALL STATEMENTS MADE OF MY OWN KNOWLEDGE ARE TRUE AND THAT ALL STATEMENTS MADE ON INFORMATION AND BELIEF ARE BELIEVED TO BE TRUE; AND FURTHER THAT THESE STATEMENTS WERE MADE WITH THE KNOWLEDGE THAT WILLFUL FALSE STATEMENTS AND THE LIKE SO MADE ARE PUNISHABLE BY FINE OR IMPRISONMENT, OR BOTH, UNDER SECTION 1001 OF TITLE 18 OF THE UNITED STATES CODE AND THAT SUCH WILLFUL FALSE STATEMENTS MAY JEOPARDIZE THE VALIDITY OF THE APPLICATION OR ANY PATENT ISSUED THEREON.

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|                                                                     |                                                             |
|---------------------------------------------------------------------|-------------------------------------------------------------|
| Inventor's Full Name:                                               | R. Eric CERNY                                               |
| Inventor's Signature:                                               | <i>R. Eric Cerny</i>                                        |
| Country of Citizenship:                                             | U.S. ✓ Date: 7/14/04                                        |
| Residence Address:<br>(street, number, city, state, and/or country) | 1141 Richland Drive<br>Chesterfield, MO 63017 MO.<br>U.S.A. |
| Post Office Address:<br>(if different from above)                   |                                                             |

|                                                                     |                                                  |
|---------------------------------------------------------------------|--------------------------------------------------|
| Inventor's Full Name:                                               | Can DUONG                                        |
| Inventor's Signature:                                               |                                                  |
| Country of Citizenship:                                             | U.S. Date:                                       |
| Residence Address:<br>(street, number, city, state, and/or country) | 2030 Brown Road<br>St. Louis, MO 63114<br>U.S.A. |
| Post Office Address:<br>(if different from above)                   |                                                  |

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(Application Serial No.) (Filing Date) (Status)

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|                                                                        |                                                         |       |       |
|------------------------------------------------------------------------|---------------------------------------------------------|-------|-------|
| Inventor's Full Name:                                                  | R.                                                      | Eric  | CERNY |
| Inventor's Signature:                                                  |                                                         |       |       |
| Country of Citizenship:                                                | U.S.                                                    | Date: |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 1141 Richland Drive<br>Chesterfield, MO 63017<br>U.S.A. |       |       |
| Post Office Address:<br>(if different from above)                      |                                                         |       |       |

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|------------------------------------------------------------------------|-----------------------------------------------------|------------------|-------|
| Inventor's Full Name:                                                  | Can                                                 |                  | DUONG |
| Inventor's Signature:                                                  | <i>Can Duong</i>                                    |                  |       |
| Country of Citizenship:                                                | U.S. ✓                                              | Date: 07/02/2004 |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 2030 Brown Road<br>St. Louis, MO 63114 MO<br>U.S.A. |                  |       |
| Post Office Address:<br>(if different from above)                      |                                                     |                  |       |

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|                                                                        |                                                                |       |           |
|------------------------------------------------------------------------|----------------------------------------------------------------|-------|-----------|
| Inventor's Full Name:                                                  | Jesse                                                          | L.    | HART      |
| Inventor's Signature:                                                  | <i>Jesse L. Hart</i>                                           |       |           |
| Country of Citizenship:                                                | U.S.                                                           | Date: | 7/16/2004 |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 7382 Pershing Avenue, #2W<br>St. Louis, MO 63130 MO.<br>U.S.A. |       |           |
| Post Office Address:<br>(if different from above)                      |                                                                |       |           |

|                                                                        |                                                                 |       |       |
|------------------------------------------------------------------------|-----------------------------------------------------------------|-------|-------|
| Inventor's Full Name:                                                  | Scott                                                           | A.    | HUBER |
| Inventor's Signature:                                                  |                                                                 |       |       |
| Country of Citizenship:                                                | U.S.                                                            | Date: |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 681 Hidden Path, Apartment D<br>Creve Couer, MO 63141<br>U.S.A. |       |       |
| Post Office Address:<br>(if different from above)                      |                                                                 |       |       |

|                                                                        |                                                                    |       |       |
|------------------------------------------------------------------------|--------------------------------------------------------------------|-------|-------|
| Inventor's Full Name:                                                  | Rachel                                                             | L.    | KRIEB |
| Inventor's Signature:                                                  |                                                                    |       |       |
| Country of Citizenship:                                                | U.S.                                                               | Date: |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 282 South 9 <sup>th</sup> Street<br>Wood River, IL 62095<br>U.S.A. |       |       |
| Post Office Address:<br>(if different from above)                      |                                                                    |       |       |

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|------------------------------------------------------------------------|------------------------------------------------------------|-------|------|
| Inventor's Full Name:                                                  | Jesse                                                      | L.    | HART |
| Inventor's Signature:                                                  |                                                            |       |      |
| Country of Citizenship:                                                | U.S.                                                       | Date: |      |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 7382 Pershing Avenue, #2W<br>St. Louis, MO 63130<br>U.S.A. |       |      |
| Post Office Address:<br>(if different from above)                      |                                                            |       |      |

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|------------------------------------------------------------------------|----------------------------------------------------------------------|---------------|-------|
| Inventor's Full Name:                                                  | Scott                                                                | A.            | HUBER |
| Inventor's Signature:                                                  | <i>Scott Huber</i>                                                   |               |       |
| Country of Citizenship:                                                | U.S. ✓                                                               | Date: 7/14/04 |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 681 Hidden Path, Apartment D<br>Creve Couer, MO 63141 MO .<br>U.S.A. |               |       |
| Post Office Address:<br>(if different from above)                      |                                                                      |               |       |

|                                                                        |                                                                    |       |       |
|------------------------------------------------------------------------|--------------------------------------------------------------------|-------|-------|
| Inventor's Full Name:                                                  | Rachel                                                             | L.    | KRIEB |
| Inventor's Signature:                                                  |                                                                    |       |       |
| Country of Citizenship:                                                | U.S.                                                               | Date: |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 282 South 9 <sup>th</sup> Street<br>Wood River, IL 62095<br>U.S.A. |       |       |
| Post Office Address:<br>(if different from above)                      |                                                                    |       |       |

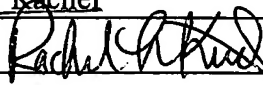
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|------------------------------------------------------------------------|------------------------------------------------------------|-------|------|
| Inventor's Full Name:                                                  | Jesse                                                      | L.    | HART |
| Inventor's Signature:                                                  |                                                            |       |      |
| Country of Citizenship:                                                | U.S.                                                       | Date: |      |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 7382 Pershing Avenue, #2W<br>St. Louis, MO 63130<br>U.S.A. |       |      |
| Post Office Address:<br>(if different from above)                      |                                                            |       |      |

|                                                                        |                                                                 |       |       |
|------------------------------------------------------------------------|-----------------------------------------------------------------|-------|-------|
| Inventor's Full Name:                                                  | Scott                                                           | A.    | HUBER |
| Inventor's Signature:                                                  |                                                                 |       |       |
| Country of Citizenship:                                                | U.S.                                                            | Date: |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 681 Hidden Path, Apartment D<br>Creve Couer, MO 63141<br>U.S.A. |       |       |
| Post Office Address:<br>(if different from above)                      |                                                                 |       |       |

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|------------------------------------------------------------------------|-------------------------------------------------------------------------------------|---------------|-------|
| Inventor's Full Name:                                                  | Rachel                                                                              | L.            | KRIEB |
| Inventor's Signature:                                                  |  |               |       |
| Country of Citizenship:                                                | U.S. ✓                                                                              | Date: 7-28-04 |       |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 282 South 9 <sup>th</sup> Street<br>Wood River, IL 62095 IL<br>U.S.A.               |               |       |
| Post Office Address:<br>(if different from above)                      |                                                                                     |               |       |

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|------------------------------------------------------------------------|-------------------------------------------------------------|-------|----------|
| Inventor's Full Name:                                                  | Jennifer                                                    | J.    | LISTELLO |
| Inventor's Signature:                                                  | <i>Jennifer Listello</i>                                    |       |          |
| Country of Citizenship:                                                | U.S.                                                        | Date: | 07-28-04 |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 6 Cherrywood Parc Court<br>O'Fallon, MO 63366 MO.<br>U.S.A. |       |          |
| Post Office Address:<br>(if different from above)                      |                                                             |       |          |

|                                                                        |                                                 |       |         |
|------------------------------------------------------------------------|-------------------------------------------------|-------|---------|
| Inventor's Full Name:                                                  | Amy                                             | B.    | MARTENS |
| Inventor's Signature:                                                  |                                                 |       |         |
| Country of Citizenship:                                                | U.S.                                            | Date: |         |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 9225 Kit Drive<br>St. Louis, MO 63123<br>U.S.A. |       |         |
| Post Office Address:<br>(if different from above)                      |                                                 |       |         |

|                                                                        |                                                       |       |         |
|------------------------------------------------------------------------|-------------------------------------------------------|-------|---------|
| Inventor's Full Name:                                                  | Bernard                                               |       | SAMMONS |
| Inventor's Signature:                                                  |                                                       |       |         |
| Country of Citizenship:                                                | U.S.                                                  | Date: |         |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 380 Lafayette Court<br>Ellisville, MO 63011<br>U.S.A. |       |         |
| Post Office Address:<br>(if different from above)                      |                                                       |       |         |

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|------------------------------------------------------------------------|---------------------------------------------------------|-------|----------|
| Inventor's Full Name:                                                  | Jennifer                                                | J.    | LISTELLO |
| Inventor's Signature:                                                  |                                                         |       |          |
| Country of Citizenship:                                                | U.S.                                                    | Date: |          |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 6 Cherrywood Parc Court<br>O'Fallon, MO 63366<br>U.S.A. |       |          |
| Post Office Address:<br>(if different from above)                      |                                                         |       |          |

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|------------------------------------------------------------------------|------------------------------------------------------------|---------------|---------|
| Inventor's Full Name:                                                  | Amy                                                        | B.            | MARTENS |
| Inventor's Signature:                                                  | <i>Amy Martens</i>                                         |               |         |
| Country of Citizenship:                                                | U.S. ✓                                                     | Date: 7-26-04 |         |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 9225 Kit Drive<br>St. Louis, MO 63123 <i>mo.</i><br>U.S.A. |               |         |
| Post Office Address:<br>(if different from above)                      |                                                            |               |         |

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|------------------------------------------------------------------------|------------------------------------------------------------------|---------------|---------|
| Inventor's Full Name:                                                  | Bernard                                                          |               | SAMMONS |
| Inventor's Signature:                                                  | <i>Bernard Sammons</i>                                           |               |         |
| Country of Citizenship:                                                | U.S. ✓                                                           | Date: 7-22-04 |         |
| Residence Address:<br>(street, number, city, state,<br>and/or country) | 380 Lafayette Court<br>Ellisville, MO 63011 <i>mo.</i><br>U.S.A. |               |         |
| Post Office Address:<br>(if different from above)                      |                                                                  |               |         |



10/541346

JC20 Rec'd PCT/PTO 05 JUL 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

**Eric R. CERNEY****Can DUONG****Jesse L. HART****Scott A. HUBER****Rachel L. KRIEB****Jennifer J. LISTELLO****Amy B. MARTENS****Bernard SAMMONS**

§ Confirmation No.

§

§ Group Art Unit:

§

§ Examiner:

§

§ Atty. Dkt. No.: 11899.0239.PCUS00

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§ Client File No.: 38-21(53182)B

§

Serial No.:

§

Filed:

§

For: **COTTON EVENT MON 88913 AND  
COMPOSITIONS AND METHODS FOR  
DETECTION THEREOF**

§

§ US §371 national stage application of

§

§ PCT/US2004/002907 filed February 2, 2004

§

## CORRESPONDENCE ADDRESS

ELECTION UNDER 37 C.F.R. §§ 3.71 and 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment recorded in the United States Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor(s).

The Assignee hereby revokes any previous Powers of Attorney and appoints the practitioners associated with CUSTOMER NO. 45607 with full power of substitution and revocation, to prosecute the application, to make alterations and amendments therein, to transact all business in the Patent and Trademark Office in connection therewith, to receive any Letters Patent, and for one year after issuance of such Letters Patent to file any request for a certificate of correction that may be deemed appropriate.

Please direct all communications with the address associated with the above-mentioned Customer Number.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment to **MONSANTO TECHNOLOGY LLC** referenced below, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

Pursuant to MPEP § 324(2), the undersigned avers that he is empowered to sign this statement on behalf of assignee.

ASSIGNEE: MONSANTO TECHNOLOGY LLC

Date: June 23, 2005By: Grace L. Bonner

Name: Grace L. Bonner

Title: Intellectual Property Counsel

ASSIGNMENT: Concurrently filed